

FAX TRANSMISSION

DATE: September 14, 2006
PTO IDENTIFIER: Application Number 10/674,550-Conf. #5735
 Patent Number
Inventor: R. Jacob Baker

MESSAGE TO: US Patent and Trademark Office
FAX NUMBER: (571) 273-1885

FROM: DICKSTEIN SHAPIRO LLP
 Thomas J. D'Amico
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Attorney Dkt #: M4065.0451/P451-B

PAGES (Including Cover Sheet): 2

CONTENTS: Certificate of Transmission (1 page)

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DSM08-2143310v01

Docket No.: M4065.0451/P451-B
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
 R. Jacob Baker

Application No.: 10/674,550	Confirmation No.: 5735
Filed: October 1, 2003	Art Unit: 2824
For: RESISTIVE MEMORY ELEMENT SENSING USING AVERAGING	Examiner: A. Q. Tran

SUBMISSION OF SUPPLEMENTAL DECLARATION

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith for filing in connection with the above-identified U.S. patent application is a Supplemental Declaration. On September 12, 2006, the Examiner contacted Applicant's representative to request a new declaration be filed, as in the originally filed Declaration the inventor's name was incomplete, and should read R. Jacob Baker.

Dated: September 14, 2006

Respectfully submitted,

By 
 Thomas J. D'Amico
 Registration No.: 28,371
 DICKSTEIN SHAPIRO LLP
 1825 Eye Street, NW
 Washington, DC 20006-5403
 (202) 420-2200
 Attorney for Applicant

DSM08-2143310v01

PTO/SB/04 (07-08)

Approved for use through 01/31/2007. OMB 0651-0032

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**SUPPLEMENTAL
DECLARATION FOR UTILITY
OR DESIGN
PATENT APPLICATION
(37 CFR 1.67)**

Attorney Docket Number	M4065.0451/P451-B
First Named Inventor	R. Jacob Baker
COMPLETE IF KNOWN	
Application Number	10/674,550-Conf. #5735
Filing Date	October 1, 2003
Art Unit	2824
Examiner Name	A. Q. Tran

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.
 I believe the Inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Resistive memory element sensing using averaging

(Title of the Invention)

the specification of which

 is attached hereto

OR

 was filed on (MM/DD/YYYY) 10/01/2003 as United States Application Number or PCT InternationalApplication Number 10/674,550

and was amended on (MM/DD/YYYY) _____

 attached amendment amendment filed on _____

I hereby declare that the subject matter of the _____ was part of the invention and was invented before the filing date of the original application, above identified for such invention.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

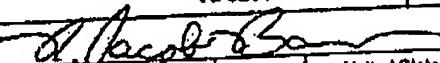
I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, Inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

 Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

PTO/SB/04 (07-06)
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SUPPLEMENTAL DECLARATION—UTILITY OR DESIGN PATENT APPLICATION

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OR <input type="checkbox"/> Correspondence address below			
Name	DICKSTEIN SHAPIRO LLP Thomas J. D'Amico		
Address	1825 Eye Street, NW		
City	Washington	State	ZIP 20006-6403
Country	US	Telephone	(202) 420-2200
WARNING:			
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<p>I hereby declare that all statements made hereto of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.</p>			
Name of First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name	R. Jacob	Family Name or Surname	Baker
Inventor's Signature			
Residence City	Meridian	ID State	United States of America Date 9/14/06
Mailing Address:	5501 S. Linder Road		
City	Meridian	ID State	ZIP 83642 Country United States of America
Name of Second Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name	Family Name or Surname		
Inventor's Signature			
Residence City	State	Country	Date
Mailing Address:			
City	State	ZIP	Country
<input type="checkbox"/> Additional inventors or a legal representative are being named on the _____ supplemental sheet(s) PTO/SB/04, or OZLR attached hereto.			

PTO/SB/97 (09-04)

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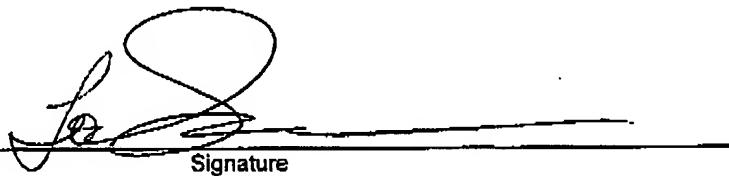
Application No. (if known): 10/674,550

Attorney Docket No.: M4065.0451/P451-B

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on September 14, 2006.
Date



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Thomas J. D'Amico

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